

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Tyler D. Field, being duly sworn, state under oath:

Introduction and Agent Background

1. I am a Special Agent of the Drug Enforcement Administration (“DEA”) and have been so employed since March 2016. As such, I am a law enforcement officer of the United States within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C), that is, a government agent engaged in enforcing the criminal laws and duly authorized by the Attorney General to request warrants, and an “investigative or law enforcement officer” of the United States within the meaning of 18 U.S.C. § 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of and make arrests for offenses enumerated in 18 U.S.C. § 2516(1).

2. I am currently assigned to the DEA’s Providence District Office. I was previously assigned to the Boston Division Office and to the Cincinnati District Office. Prior to joining the DEA, I was a police officer for the town of Bridgewater, Massachusetts for more than three years. I previously served as a U.S. Army Military Police Major in the Massachusetts and Indiana Army National Guard for more than twenty years. I graduated from the U.S. Army Military Police School; Plymouth, Massachusetts Police Academy; and DEA Basic Agent Academy. I hold a Bachelor of Science in Accounting from the University of Massachusetts, Dartmouth.

3. During my time as a police officer and Special Agent, I have participated in numerous investigations and arrests involving violations of state and federal controlled substances laws, including Title 21, United States Code, Sections 841(a)(1) and 846. A number of those investigations resulted in arrests, indictments, and convictions for violations of drug laws and/or other criminal offenses, the seizure of drugs, money, and vehicles, and the forfeiture of personal property. I have participated in all aspects of drug investigations, including physical surveillance,

surveillance of undercover transactions, the introduction of undercover agents, the execution of search warrants, the effecting of arrests, and debriefings of defendants, informants and witnesses who had personal knowledge regarding major narcotics trafficking organizations. I have also reviewed recorded conversations and telephone, financial, and drug records. Through my training and experience, I have become familiar with the manner in which illegal drugs are imported, transported, stored, and distributed, and the methods of payment for such drugs. I have also become familiar with the manner in which narcotics organizations utilize various forms of violence and intimidation in furtherance of their narcotics trafficking activity, to protect their operations, members, narcotics, and narcotics proceeds.

4. Based on my training and experience, I am familiar with the methods of operation employed by narcotics traffickers operating at the local, statewide, national and international levels, including those involving the distribution, storage, and transportation of narcotics and the collection and laundering of money that constitutes the proceeds of narcotics-trafficking activities. I am aware that drug traffickers commonly use cellular telephones in furtherance of their drug trafficking activities and frequently change cellular telephone numbers and cellular telephones in an effort to thwart law enforcement's use of electronic surveillance.

5. I am also aware that drug traffickers often speak in vague, guarded, or coded language when discussing their illegal business in an effort to further prevent detection, and often use text messages in lieu of phone calls to avoid speaking over the telephone. I am familiar with the common appearance, packaging, texture and smell of the narcotics listed above.

PURPOSE OF AFFIDAVIT

6. Since at least August 2022, the DEA has been investigating Charles Brennick BATES, Aaron LENARDIS, and others for violations of 21 U.S.C. § 841 & 846 (distribution of and possession with intent to distribute controlled substances and conspiracy to commit same), 21 U.S.C. §§ 843 & 846 (possession of a tableting machine or any equipment used to manufacture a controlled substance and conspiracy to commit same), and 18 U.S.C. § 1956 (money laundering) (collectively, the “Target Offenses”).

7. This affidavit is being submitted in support of a criminal complaint charging that beginning at least in or about August 2022 and continuing until the present, Charles Brennick BATES and Aaron LENARDIS (together, the “Target Subjects”) each did knowingly and intentionally combine, conspire, confederate and agree with others known and unknown, to possess with intent to distribute controlled substances, in violation of 21 U.S.C. §§ 841(a)(1) & 846.

8. This affidavit does not set forth all the facts developed during the course of this investigation. Rather, it sets forth only those facts that are necessary and sufficient to establish probable cause to believe that the Target Subjects identified herein have committed the above-described controlled substance offenses.

PROBABLE CAUSE

9. DEA agents in Providence, Rhode Island began investigating BATES in August 2022, after BATES, as described below, ordered binding agent that can be used to make counterfeit Adderall pills. After conducting subsequent surveillance of BATES with the assistance of court-authorized location information, investigators saw BATES load a large, heavy item consistent in

size and shape with a pill press, and transport the item to 383 Essex Street, Saugus, MA (“383 Essex St.”), which is the residence of LENARDIS.¹ On the morning of October 25, 2022, investigators executed search warrants at BATES’s residence—90 Haystack Road, Reading, MA—and at 383 Essex St. At 383 Essex St., as described in greater detail below, investigators found, among other things, an industrial pill press outfitted with an “M30” stamp, fourteen (14) firearms, several bins of loose powder, a blender, counterfeit Adderall pills suspected to contain methamphetamine, and counterfeit oxycodone pills suspected to contain fentanyl.

BATES Ordered Binding Agent on August 30, 2022, and Picked It Up from UPS on September 2, 2022

10. On or about August 30, 2022, a confidential source (“CS-1”) who is working with the DEA provided information about individuals who purchased items online that could be used in the manufacture of illegal counterfeit pills.²

11. Based on my training and experience, I am aware that drug traffickers often mix controlled substances with other substances in order to increase the quantity and improve the appearance of the controlled substances that they prepare for distribution. Drug traffickers will often obtain powder tablet mix, or “binder,” which is marketed for use in producing pharmaceutical-grade tablets. Drug traffickers will mix controlled substances with the binder and then produce pills using pill presses and pill press die molds. In particular, I am aware that drug

¹ Among other things, LENARDIS’s driver’s license lists 383 Essex St.

² CS-1 has knowledge of these purchases because CS-1 works for the company that the individuals bought the products from. During the course of this investigation, CS-1 pleaded guilty and was sentenced for narcotics and other offenses. CS-1 previously cooperated in order to receive favorable treatment in his case; he is now being paid by the government to cooperate. Information provided by CS-1 has led to seizures of controlled substances and drug proceeds as well as the arrests of individuals involved in the distribution of counterfeit pills. Based on the information provided in those investigations and in this one, investigators believe information provided by CS-1 is reliable.

traffickers recently have been purchasing die molds that can stamp “AD” and “30” on pills, and orange tablet mix powder, in order to produce counterfeit Adderall 30mg pills. (30mg Adderall pills are colored orange.) Counterfeit pills are especially dangerous because people may believe that they are purchasing legitimate prescription medications. Instead, these pills contain unknown and often inconsistent quantities of narcotics; in the case of counterfeit Adderall pills, I know that the pills typically include methamphetamine (a stimulant). Because these customers do not know they are consuming counterfeit pills containing methamphetamine or do not know how much methamphetamine each pill contains, they risk overdosing on methamphetamine or other potent, deadly narcotics. All of this is true as well for counterfeit oxycodone pills, which typically contain fentanyl and are stamped “M30.”

12. CS-1 provided investigators with information that on August 30, 2022, an order was placed with CS-1’s company for a 50-kilogram shipment of orange Firmapress (tablet mix powder) with listed addressee L.D.³ at 11 South Munroe Terrace, Boston, Massachusetts. The phone number associated with the order was telephone number 781-520-7134 (the “7134 phone”). CS-1 provided investigators with a shipping label for the shipment, at investigators’ direction, and stated that it would be packaged in four boxes. According to information from the United Parcel Service (“UPS”), the shipment was scheduled to arrive on August 31, 2022.

13. On August 31, 2022, UPS attempted to deliver the package to 11 South Munroe Terrace but no one was home. UPS left a note at the door stating that the recipient would have to pick the package up at the UPS facility located at 647B Sumner Street in Boston.

³ I am aware of the full name of the person listed on the shipping label but am not stating it here as this person is not being charged in this Complaint.

14. On September 2, 2022, investigators established surveillance at 647B Summer Street in Boston (UPS) at approximately 1:00 p.m. At approximately 3:28 p.m., UPS personnel informed investigators that two individuals were at UPS attempting to pick up the packages. L.D. provided her driver's license to UPS personnel and investigators were able to identify her as the person on the driver's license. Investigators saw L.D. and a male loading the four boxes into a black 2015 Ford Fusion bearing Massachusetts registration 3GVK61, registered to BATES at 90 Haystack Rd. (the "Ford Fusion"), in the UPS parking lot. Investigators queried the registration information for the Ford Fusion and identified BATES, the registered owner, as the other person loading the boxes into the Ford Fusion.

15. After loading the boxes, BATES and L.D. got into the Ford Fusion and left with BATES driving. BATES drove in an erratic manner (no signal, last-minute lane changes, speeding, pulling over on side streets) that in my training and experience is consistent with attempting to evade any law enforcement that might be following. Investigators followed the Ford Fusion to Chelsea before losing sight of it. Approximately one hour later, investigators went to 90 Haystack Rd. and saw the Ford Fusion parked there.

16. Following BATES's pickup of orange binding agent from UPS, on September 3, 2022, CS-1 received a call from a male voice using the 7134 phone. The male voice asked for instructions on changing a "punch" on a TDP5 machine. A punch is the component that can stamp letters onto pills, such as "M 30" or "AD 30." A TDP5 machine is a large pill press. CS-1 told the male using the 7134 phone to call him/her back using FaceTime so that CS-1 could more easily assist. At approximately 6:00 p.m., the male called CS-1 on FaceTime from the 7134 phone and CS-1 captured a screenshot of his face, which was BATES. BATES appeared to be in a basement-

like location with exposed pipes, which in my training and experience, is a typical location for drug traffickers to press illegal counterfeit pills.

17. On September 6, 2022, CS-1 informed investigators that BATES had called CS-1 earlier that same day using the 7134 phone and asked if the company for which CS-1 works had anymore “pill presses” for sale. CS-1 told BATES that the company was expecting a shipment of pill presses soon and would call BATES when they arrived.

18. On September 9, 2022, the Hon. Donald L. Cabell, U.S. Magistrate Judge, District of Massachusetts, issued search warrants authorizing (1) historical cell-tower information regarding the location of the 7134 phone; (2) precise location information regarding the location of the 7134 phone; and (3) installation of a GPS tracker on the Ford Fusion. M.J. Nos. 22-1367, -1368, -1370 (under seal). On September 14, 2022, investigators installed a tracking device on the Ford Fusion while it was parked on the street in front of 90 Haystack Rd.

BATES Moved a Pill Press to 383 Essex St. on October 12, 2022

19. On October 12, 2022, at approximately 8:46 a.m., the GPS device on the Ford Fusion indicated it departed the area of 90 Haystack Rd. and travelled directly to the area of 5/7 John Street, Pawtucket, Rhode Island, arriving at approximately 9:54 a.m. 5/7 John Street is a duplex residence with a driveway to the right of the building. At the end of the driveway is a detached garage. Investigators observed that the Ford Fusion was backed into the driveway of 5/7 John Street and BATES was standing behind the Ford Fusion in front of the detached garage with a telephone in his hand. A male, later identified as Rafael BAEZ-MOREL (a federal fugitive in a

pending case as described below), approached BATES and BATES opened the trunk of the Ford Fusion. BATES and BAEZ-MOREL then walked towards 5/7 John Street.

20. At approximately 10:09 a.m., investigators saw, and photographed, BATES and BAEZ-MOREL exit 5/7 John Street. BATES and BAEZ-MOREL assisted each other moving what appeared to be a heavy object on a hand truck that was wrapped in black plastic. In my training and experience, the heavy object was consistent in size, shape, and apparent weight with a pill press. BATES and BAEZ-MOREL placed the object into the trunk of the Ford Fusion. BATES then entered the driver's door of the Ford Fusion and departed the area.

21. BAEZ-MOREL is currently a federal fugitive who on October 6, 2021, was indicted in an unrelated case by a grand jury in the District of Massachusetts for: one count of Conspiracy to Distribute and to Possess with Intent to Distribute 40 Grams or More of Fentanyl and Other Controlled Substances, in violation of 21 U.S.C. § 846; and one count of Distribution of 40 Grams or More of Fentanyl, in violation of 21 U.S.C. § 841(a)(1). *See* Cr. No. 21-10298-MLW. BAEZ-MOREL was arrested at 5/7 John Street, on the pending indictment, on the morning of October 25, 2022.

22. Investigators followed the Ford Fusion with the assistance of the GPS tracker. At approximately 11:19 a.m., the tracking device indicated the Ford Fusion arrived in the area of 857 Broadway, Saugus, MA. The car did not make any stops between 5/7 John Street and 857 Broadway. Investigators saw BATES enter the north entrance of 857 Broadway with only a small Starbucks bag. He came back out at approximately 11:36 a.m. and got back into the Ford Fusion.

23. At approximately 11:40 a.m., the tracking device indicated the Ford Fusion stopped in the area of 383 Essex St., a single-family residence with a detached shed in the back (the

backyard is enclosed by a white fence but portions of the shed can be seen from the road). Investigators saw a Mercury Marquis with Massachusetts license plate BR55HW in the driveway. According to information obtained from the Massachusetts Registry of Motor Vehicles, license plate BR55HW is a brown 2001 Mercury Marquis, registered to Aaron LENARDIS, 383 Essex Street, Saugus. Investigators determined from this fact and additional surveillance that LENARDIS resides at 383 Essex St.

24. Investigators saw that the Ford Fusion was backed into the driveway of 383 Essex St. and BATES was standing in the driveway. Approximately four minutes later, investigators observed LENARDIS approach BATES in the driveway with a dolly. LENARDIS and BATES took the object out of the trunk of the Ford Fusion and wheeled the object on the dolly through a fence gate into the backyard. Investigators observed LENARDIS and BATES standing in the backyard near a shed.

25. At approximately 12:02 p.m., investigators saw BATES and LENARDIS walk back into the driveway of 383 Essex St. BATES got back into the Ford Fusion and left. LENARDIS walked away toward the backyard.

Search Warrants Executed on October 25, 2022

26. Based on the above events, plus additional surveillance of BATES performing suspected narcotics transactions in September and October 2022, on October 24, 2022, the Hon. Donald L. Cabell, U.S. Magistrate Judge, District of Massachusetts, signed two warrants authorizing searches of 90 Haystack Rd. and of 383 Essex St. M.J. Nos. 22-1448-DLC, 22-1449-DLC (under seal).

27. On October 25, 2022, investigators executed the two search warrants. LENARDIS was present at 383 Essex St. and BATES was present at 90 Haystack Rd. In a room in the basement of 383 Essex St., investigators located an industrial pill press on a handcart outfitted with a punch for stamping “M” and “30.” A picture of the press appears below:



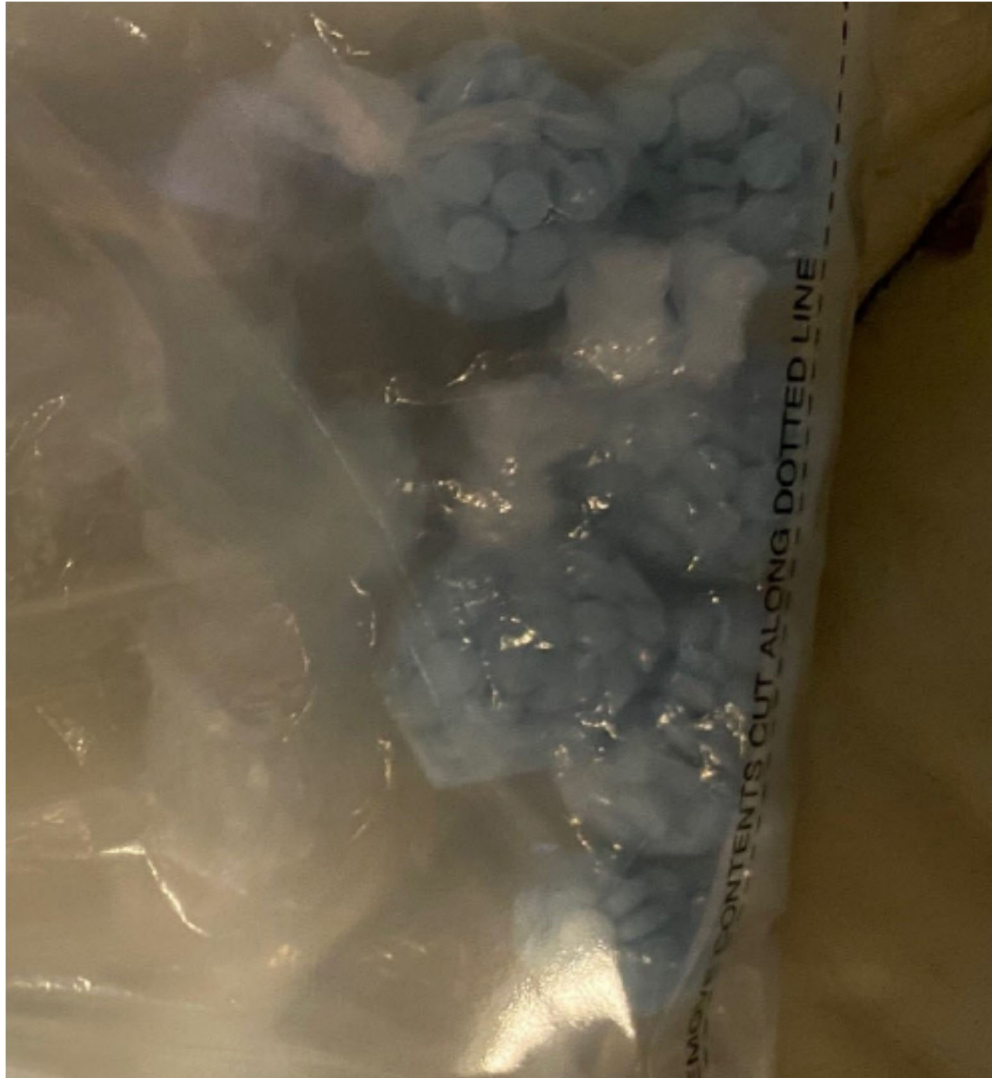
In the same room as the press, investigators located fourteen (14) firearms. LENARDIS is a felon with an extensive criminal history. A photograph of the firearms appears below:



28. In another room of the basement, investigators found orange powder in a plastic bin, consistent with orange binding agent for pressing pills. The basement at 383 Essex St. appeared to be the same basement from which BATES called CS-1 about pill press on September 3, 2022. Behind 383 Essex Street, investigators located a trailer; inside the trailer was a bin of white powder, a bin of orange powder, a blender, and a bag of orange pills.

29. On the first floor of 383 Essex Street, investigators located white powder, blue pills marked M30 in baggies (approximately 111 grams gross), orange pills in baggies (approximately 603 grams gross). Pictures of the orange and blue pills appear below:






30. The orange and blue pills were field-tested for the presence of narcotics. The result of both tests was inconclusive. In my training and experience, drug traffickers often put varying amounts of narcotics into pills that may be detectable in a laboratory but not necessarily in a field test. In my training and experience, however, the orange pills were consistent with being counterfeit Adderall pills containing methamphetamine and the blue pills were consistent with being counterfeit oxycodone pills containing fentanyl. Samples of the white and orange powder have been sent to a DEA laboratory for testing.

31. In a barrel in the backyard, investigators found UPS boxes that appear to be the same boxes BATES picked up from UPS on September 2, 2022.

CONCLUSION

32. Based on the information set forth above, I believe probable cause exists to conclude that BATES and LENARDIS each did knowingly and intentionally combine, conspire, confederate and agree with others known and unknown, to possess with intent to distribute controlled substances, in violation of 21 U.S.C. §§ 841(a)(1) & 846.



Tyler D. Field
Special Agent
Drug Enforcement Administration

Subscribed and sworn to before me via telephone in accordance with Fed. R. Crim. P. 4.1 on this 25th day of October 2022.



HONORABLE DONALD L. CABELL
UNITED STATES MAGISTRATE JUDGE

